

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

FILED BY *abe* D.C.

05 OCT -5 PM 5: 50

**BLENNA MINOR and KEITH  
MINOR,**

**Plaintiffs,**

**v.**

**CITY OF MEMPHIS, et al.,**

**Defendants.**

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**NO. 05-2511 M/An**

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TENNESSEE

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**ORDER DENYING MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

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Before the Court is Plaintiffs' Motion for Leave to File Amended Complaint filed on September 29, 2005. First, the Local Rules for the Western District of Tennessee require that all motions filed in the Court shall be "accompanied by a supporting memorandum of facts and law." Local Rule 7.2(a)(1) for the Western District of Tennessee. Plaintiffs failed to file a supporting memorandum of facts and law with their Motion. Second, Plaintiffs also failed to file a proposed order as required by Rule 7.2(a)(1)(A) of the Local Rules of the United States District Court for the Western District of Tennessee and a Certificate of Consultation as required by Local Rule 7.2(a)(1)(B) of the Local Rules of the United States District Court for the Western District of Tennessee. Local Rule 7.2(a)(1)(B) provides:

Consultation by Counsel. All motions, including discovery motions, but not including motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a certificate of counsel (with one copy) affirming that, after consultation between the parties to the controversy, they are unable to reach an accord as to all issues or that all other parties are in agreement with the action requested by the motion. Failure to file an accompanying certificate of consultation may be deemed good grounds for denying the motion.

The certificate must contain the names of participating counsel and the date and manner of consultation. The burden will be on counsel filing the motion to initiate the conference upon giving reasonable notice of the time, place and specific nature of the conference. If an opposing counsel or party refuses to cooperate in the conduct of a conference, counsel must file certificate to that effect, setting out counsel's efforts to comply with this rule.

Because Plaintiffs did not file a memorandum, a proposed order, or a certificate of consultation, the Motion is **DENIED** without prejudice. Plaintiffs are entitled to re-file their Motion, so long as the Motion complies with the Local Rules for the Western District of Tennessee.

**IT IS SO ORDERED.**

  
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S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

Date: October 05, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 15 in case 2:05-CV-02511 was distributed by fax, mail, or direct printing on October 7, 2005 to the parties listed.

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Memphis, TN 38103

Honorable Samuel Mays  
US DISTRICT COURT